

STATE PROPERTIES COMMITTEE MEETING

TUESDAY, JANUARY 5, 2010

The meeting of the State Properties Committee was called to order at 10:02 a.m. by Chairman Kevin M. Flynn. Other members present were Robert Griffith representing the Rhode Island Department of Administration; Richard Woolley representing the Rhode Island Department of Attorney General; Robert W. Kay and John A. Pagliarini, Jr., Public Members; and Xaykham Khamsyvoravong representing the Rhode Island Office of the General Treasurer, Ex-officio Member. Others in attendance were Anthony Paolantonio from the Rhode Island House of Representatives; Daniel Clarke and John Glynn of the Rhode Island Department of Transportation.

Chairman Flynn noted for the record that the State Properties Committee did have a quorum present.

ITEM A – Department of Transportation – A request was made for approval of and signatures on a Grant of Easement Agreement by and between the Department of Transportation and the United States Army Corps of Engineers for an easement over two parcels of land located along the east and west sides of the Fox Point Hurricane Barrier.

Mr. Glynn presented site map of the subject property for review by the Committee. Mr. Glynn explained that the United States Corps of Engineers has recently obtained ownership and responsibility for the Fox Point Hurricane Barrier in the City of Providence. In connection with said ownership, the Corps of Engineers requested the

Department of Transportation grant an easement over two (2) small parcels of land located on either side of the barrier, which will provide access for repairs and maintenance. Chairman Flynn asked if the City of Providence previously had an easement over the subject property and whether said easement will simply be transferred to the new owner of the Barrier. Mr. Glynn stated that is correct. Mr. Pagliarini asked if the City of Providence has relinquished its rights to the easement. Mr. Glynn stated that he believed the City of Providence has in fact relinquished its rights to the easement. Mr. Griffith asked if the subject easement has any affect on the so-called Shooter's property. Mr. Glynn indicated that this easement has no affect on the Shooter's property. Mr. Woolley noted that the dates on pages one (1) and four (4) of the Agreement reference the year as 2009, and asked that those pages be revised to reflect the current year. A motion was made to approve subject to the City of Providence relinquishing any and all rights to its easement and subject to the United States Corps of Engineers being solely responsible for restoring the subject parcels of land to their previous condition, in the event of any damage including but not limited to landscaping damage caused by the United States Corps of Engineers by Mr. Pagliarini and seconded by Mr. Woolley.

Passed Unanimously

ITEM B – Department of Transportation – A request for was made conceptual approval to dispose of 1,963 square feet of State-owned property located on Alfred Drowne Road in the Town of Barrington. The Department is seeking approval to sell the subject property to

Claudia and Graham Kilvert of Alfred Drowne Road in the Town of Barrington. The Department has researched the parcel of land through its preliminary review process and it has been cleared for disposition. Mr. Clarke explained that the disposition of this property will cure an encroachment on the State-owned land. Said encroachment was brought to the attention of the Department of Transportation by Mr. and Mrs. Kilvert. Mr. Clarke indicated that during the process of establishing their property's boundary lines, the Kilverts discovered that the driveway and certain portions of the home's parking area are encroaching on State-owned land. . Once the Kilverts made this discovery, they immediately contacted the Department of Transportation with a request to purchase the land. Chairman Flynn asked if the purchase of the subject property will in any way impact the bicycle path. Mr. Clarke indicated that the purchase of the property by the Kilverts will not impact the existing bicycle path whatsoever. Mr. Clarke informed the Committee that the Request to Convey State-owned Property form should be corrected to reflect that the subject property is in fact located within a flood plain as well as being located within one (1) mile of a body of water. Mr. Clark indicated that the property is actually within 2,750 feet from the nearest body of water. Mr. Woolley asked whether the Department will be seeking any retroactive payments of compensation for the unauthorized use of State-owned property. Mr. Clarke explained that because of the circumstances involved in this particular encroachment and the fact that the Kilverts did not originally construct the driveway, the Department will not be seeking

retroactive payments of compensation. Mr. Pagliarini asked if the appraisal of the property will be an internal or external appraisal. Mr. Clarke indicated that due to the small size of the property, the Department will most likely conduct an in-house appraisal. A motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM C – Department of Transportation – A request was made for conceptual approval to dispose of 8,800± square feet of State-owned property located on Beausoleil Street in the Town of Cumberland. A motion was made to table Item C to the next scheduled meeting of the State Properties Committee by Mr. Pagliarini and seconded by Mr. Kay.

Passed Unanimously

There being no further business to come before the State Properties Committee, the meeting was adjourned at 10:13 a.m. A motion was made to adjourn by Mr. Woolley and seconded by Mr. Pagliarini.

Passed Unanimously

Holly H. Rhodes, Executive Secretary